



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appeal No: **Unassigned**

In re the Application of: Eiji HAMAMOTO et al.

Confirmation No.: 1113

Serial Number: 10/071,301

Group Art Unit: 1772

Filed: February 8, 2002

Examiner: HON, SOW FUN

For: POLARIZING PLATE AND OPTICAL MEMBER

Attorney Docket No.: **020588**

Customer Number: **38834**

SUBMISSION OF REPLY BRIEF

Sir:

July 25, 2005

In reply to the Examiner's Answer dated May 24, 2005, a Reply Brief is submitted with this paper. This paper is being timely filed because July 24, 2005 was a Sunday.

In the event this paper is not timely filed, appellant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 50-2866, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Nicolas E. Seckel

Attorney for Appellants

Reg. No. 44,373

Atty. Docket No. 020588

Customer No.: 38834

1250 Connecticut Avenue NW Suite 700

Washington, DC 20036

Tel: (202) 822-1100

Fax: (202) 822-1111

NES:rep

Enclosure: Reply Brief



THE UNITED STATES PATENT AND TRADEMARK OFFICE
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REPLY BRIEF FOR APPELLANT

Ex parte Eiji HAMAMOTO et al.

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Nicolas E. Seckel
Reg. No. 44,373
Attorney for Appellant

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP
1250 Connecticut Ave., N.W. Suite 700
Washington, DC 20036
Tel: (202) 822-1100
Fax: (202) 822-1111

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REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

July 25, 2005

Appellants reply to the Examiner's Answer dated May 24, 2005. This paper is being timely filed because July 24, 2005 was a Sunday.

This Reply Brief addresses the following new assertions made in the Examiner's Answer.

1. **Examiner's Assertion that Buzzell Teaches a Crosslinking Agent for any PVA Component**

In Section A, a (i) of the Answer, the Examiner alleges that Buzzell (U.S. Patent No. 3,531,351) teaches that the crosslinking agent helps maintain the dimensional stability of the polyvinyl alcohol polymer as to "the polymer itself, meaning that any component made from the

polymer with the crosslinking agent and catalyst added, including the adhesive layer composed of the polymer” (page 9 of the Answer).

This assertion is erroneous. The term “the polymer” in the whole paragraph at col. 5, lines 9-36 of Buzzell relates to the “mordanting” layer.

In addition to the explanations made in the Appeal Brief, reference is made to the last sentence of the paragraph which relates to adding a “matrix polymer” (Buzzell at col. 5, lines 29-36). This sentence proposes adding “matrix polymers” to “the above polymers.” Matrix polymers are not suitable for an adhesive layer of Buzzell. This confirms that the previous sentence in the paragraph, regarding cross-linking agent, is also directed only at the polymer for the polarizer layer, and not at “any polymer” as alleged by the Examiner.

In summary, the crosslinking agent of Buzzell is used for a mordanting layer, much like a boric acid crosslinking is used in a process of producing a polarizer with a polyvinyl alcohol film, which makes it possible to improve dimensional stability of the polarizer.

In addition, the adhesive layer of Buzzell is extremely thin, so that it would be very difficult or impossible to control the dimensional stability of the polarizer by using the adhesive layer. Therefore, based on the teachings of Buzzell, a person of ordinary skill in the art would not have been motivated to add a crosslinking agent to an adhesive layer for the purpose of improving the dimensional stability of a polarizer.

In contrast, the present inventors have found that adding a crosslinking agent to an adhesive layer for the purposes of improving adhesiveness and peel resistance. This feature of the present claims and its advantages are not taught or suggested in Buzzell.

2. **Examiner's Assertion that Buzzell Suggests Improving the Adhesive Bond**

In Section A, a (ii) and in Section A, b of the Answer, the Examiner alleges that “if the adhesive providing interlaminar adhesion for a laminate is not dimensionally stable, the polarizing plate laminate is also not dimensionally stable” (page 10 of the Answer).

This assertion is completely unsupported. In particular, there is no support for such assertion in Buzzell. Buzzell does not provide any suggestion or motivation to improve dimensional stability of its adhesive.

In addition to the explanations made in the Appeal Brief, it is noted that Buzzell suggests in fact using very little adhesive so that “a distinct adhesive layer is not visible in the laminates” (Buzzell at col. 4, lines 40-41). This would have provided a person of ordinary skill in the art an additional reason not to inquire into dimensional stability of the adhesive layer, since that person would have recognized that any potential improvement in dimensional stability of the adhesive of Buzzell would be unlikely to have an effect the dimensional stability of the polymer film.

3. **Examiner's Assertion that Improved Resistance to Peeling with Crosslinking Agent is Expected**

In Section A, c (i) of the Answer, the Examiner alleges that an argument regarding adhesive strength and peel resistance of the adhesive layer is moot since such features “are not present in the claims (page 11 of the Answer).

Also, in Section A, c (i) of the Answer, the Examiner alleges that “Buzzell teaches that the adhesive provides a strong bond (column 3, lines 48-53) and “Buzzell emphasizes the desirability of the strength of the adhesive bond, and the interlaminar adhesion of the final laminate” (page 11 of the Answer).

Further, in Section A, c (ii) of the Answer, the Examiner alleges that “the result that the crosslinked adhesive layer provides improved resistance to peeling... is expected” (page 12 of the Answer).

These assertions are erroneous and unsupported.

As a preliminary, the feature of a crosslinking agent being present in the adhesive is recited in the claims, so that an argument relying on the unexpected results of this feature is proper.

Further, the “strong bond” disclosed in Buzzell only means “relatively strong” as compared to the “weak bond” between the polarizer layer and the belt on which it has been cast (see Buzzell at col. 3, lines 54-55), so that Buzzell does not suggest further improvements.

Finally, since Buzzell is silent as to providing an adhesive comprising a crosslinking agent, an advantageously improved adhesion that results from the presence of a crosslinking agent in the adhesive cannot be expected from Buzzell.

4. Conclusion

For the above reasons, appellants maintain their request that the Board of Patent Appeals and Interferences reverse the Examiner's rejections of claims 1-24.

In the event this paper is not timely filed, appellants petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 50-2866, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Nicolas E. Seckel
Attorney for Appellant
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